

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
SECURITIES AND EXCHANGE COMMISSION,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-11805-NMG
)	
RICHARD F. SELDEN,)	
)	
Defendant.)	
_____)	

**JOINT STATEMENT FOR
INITIAL SCHEDULING CONFERENCE**

Pursuant to Rule 26(b) of the Federal Rules of Civil Procedure and Local Rule 16.1(D), the parties hereby submit their Joint Statement, including their proposed pre-trial schedule for the conduct of discovery and the filing of dispositive motions in this matter, in anticipation of the initial scheduling conference to be held on November 17, 2005.

Matters to be Addressed at Conference

A. Pending Motions

None.

B. Discovery Events

The Commission does not anticipate that it will exceed the limitations on discovery events set forth in Local Rule 26.1(C). Dr. Selden anticipates that, because the Commission has identified in its initial disclosures 39 individuals likely to have discoverable information and he

has identified in his initial disclosures another 33 such individuals, and because he has had no testimonial discovery, he will need to take depositions exceeding the discovery limitations of Local Rule 26.1(C). The Commission does not oppose Dr. Selden's proposal to exceed the discovery limitations in Local Rule 26.1(C).

C. Proposed Schedule for Discovery and Dispositive Motions

The parties propose the following schedule for the completion of discovery and the submission of dispositive motions:

Sept. 1, 2006	End of fact discovery
Oct. 1, 2006	Commission's expert disclosure under Fed. R. Civ. P. 26(a)(2)
Nov. 1, 2006	Deadline for deposition of Commission's expert(s)
Dec. 1, 2006	Defendant's expert disclosure under Fed. R. Civ. P. 26(a)(2)
Jan. 1, 2007	Deadline for deposition of defendant's expert(s)
Feb. 15, 2007	Deadline for submission of motions for summary judgment

D. Status of Initial Disclosures

Both parties have served their initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) and Local Rule 26.2(A).

E. Trial by Magistrate Judge

The parties do not agree to trial by a magistrate judge.

F. Alternative Dispute Resolution

No agreement has been made at this time for consent to alternative dispute resolution.

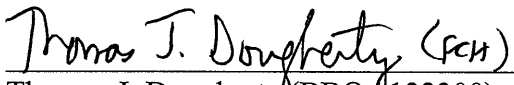
G. Local Rule 16.1(D)(3) Certifications

The parties' certifications pursuant to Local Rule 16.1(D)(3) are being submitted with this Joint Statement.

Respectfully submitted,


Frank C. Huntington (BBO #544045)
David E. Butler (BBO #549721)
SECURITIES AND EXCHANGE
COMMISSION
73 Tremont Street, Suite 600
Boston, MA 02108
(617) 573-8900

Attorneys for Plaintiff
Securities and Exchange Commission


Thomas J. Dougherty (BBO #132300)
Justin J. Daniels (BBO #656118)
Cale P. Keable (BBO #651627)
SKADDEN, ARPS, SLATE, MEAGHER
& FLOM LLP
One Beacon Street
Boston, MA 02108
(617) 573-4800

Attorneys for Defendant
Richard F. Selden

Dated: November 9, 2005

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

RICHARD F. SELDEN,

Defendant.

)
)
)
)
) Civil Action No. 05-11805-NMG
)
)
)
)
)

PLAINTIFF'S LOCAL RULE 16.1(D)(3) CERTIFICATION

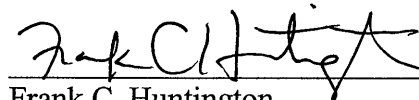
The undersigned representative of plaintiff Securities and Exchange Commission ("the Commission") and the undersigned counsel for the Commission affirm that they have conferred with respect to: (a) establishing a budget for the costs of conducting the full course, and various alternative courses, of the litigation, and (b) the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

By:



David Bergers
Associate District Administrator
Boston District Office
Securities and Exchange Commission

By:



Frank C. Huntington
Senior Trial Counsel
Boston District Office
Securities and Exchange Commission

Dated: November 9, 2005

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS


----- X
SECURITIES AND EXCHANGE :
COMMISSION, :
 :
Plaintiff, : Civil Action
 : No. 05-11805-NMG
v. :
 :
RICHARD B. SELDEN, :
 :
Defendant. :
----- X

DEFENDANT'S LOCAL RULE 16.1(D)(3) CERTIFICATION

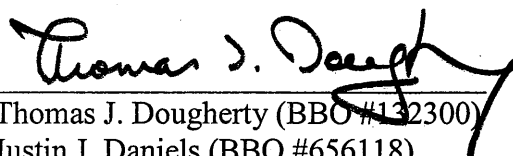
Pursuant to Local Rule 16.1(D)(3), the undersigned counsel and the defendant in this matter have conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course -- and various alternative courses -- of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Dated: November 9, 2005
Boston, Massachusetts


Richard F. Selden

Respectfully submitted,


Thomas J. Dougherty (BBO #132300)
Justin J. Daniels (BBO #656118)
Cale P. Keable (BBO #651627)
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
One Beacon Street
Boston, Massachusetts 02108
(617) 573-4800

Counsel for Defendant
Richard F. Selden